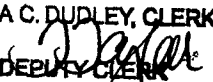


JAN 28 2013

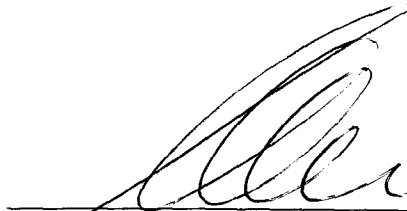
JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

SHIRLAND L. FITZGERALD,	)	Criminal Case No. 4:08cr00001
	)	
Petitioner,	)	
v.	)	<u>2255 FINAL ORDER</u>
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	By: Samuel G. Wilson United States District Judge

In accordance with the memorandum opinion entered on this day, it is hereby  
**ORDERED** and **ADJUDGED** that Fitzgerald's motion pursuant to 28 U.S.C. § 2255 is  
**DENIED**, and this matter is **STRICKEN** from the court's active docket. Further, finding that  
Fitzgerald has failed to make the requisite substantial showing of the denial of a constitutional  
right, as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

**ENTER:** January 28, 2013.

  
UNITED STATES DISTRICT JUDGE